

Appl. No. 10/783,640
Amtd. Dated February 9, 2010
Reply to Office Action of November 9, 2009

REMARKS/ARGUMENTS

Claims 1-13 were pending in this application.

Claims 1 and 6 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter because the Examiner believes that in their broadest reasonable interpretation the claimed invention as a whole encompasses a human being under MPEP 2105. This rejection is made moot by the cancellation of claims 1 and 6.

Claims 1-7 (sic 13) were rejected under 35 USC § 103(a) as being unpatentable over US 7,154,397 to Zerhusen et al (Hill-Rom Services, Inc.). in view of US20020038392 by De La Huerga. Claim 12 also was rejected under 35 USC § 103(a) as being unpatentable over Zerhusen et al in view of De La Huerga and Examiner's Official Notice. Claims 1-13 have been cancelled without prejudice, making these rejections moot.

New claims 14-23 have been added. These claims are supported by FIGS. 4, 4A, 15 and 21 and the specification as originally filed. See page 37, lines 1-24 and page 42, lines 5-16. Thus, no new matter has been added.

No extensions or fees are believed to be due in connection with this paper. However, the Commissioner is authorized to consider this a request for any necessary extension and charge our Deposit Account, 50-3118 for any additional fees (or credit any over payments) in association with this communication. A timely and favorable response on the merits of the application as amended is respectfully requested.

Respectfully submitted,
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